

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner For Patents, Alexandria VA 22313-1450, on May 20, 2005, by Frank J. Kozak (Reg. No. 32,908).

  
Signature

PATENT  
Case No. N0110US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
JEFFREY E. PAINTER	)	
	)	
Serial No. 09/970,375	)	Group Art Unit:
	)	2636
Title: NAVIGATION SYSTEM THAT	)	
SUPPORTS MULTIPLE	)	Examiner:
LANGUAGES AND FORMATS	)	BRENT SWARTHOUT
	)	
Filed: October 3, 2001	)	

**PETITION UNDER 37 CFR 1.313(c)  
(WITHDRAWAL FROM ISSUE)**

Mail Stop Petitions  
Commissioner for Patents  
Alexandria, Virginia 22313-1450

Dear Sir:

The subject application was allowed on February 14, 2005 and the Issue Fee Transmittal was sent on May 2, 2005.

Applicant hereby petitions that the subject application be withdrawn from issue pursuant to 37 CFR 1.313(c). In support thereof and according to 37 CFR 1.313(c)(2), Applicant provides as a reason for the withdrawal the consideration of a request for continued examination under 37 CFR 1.114. The request for continued examination is being submitted in order to have an information disclosure statement considered in the present application. The information disclosure statement includes two references that were cited in a foreign counterpart application and provided to the undersigned on May 19, 2005, subsequent to payment of the issue fee.

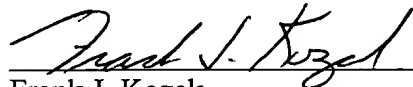
In order to address the provision in MPEP 1308 I.B. that states that an applicant should identify some specific and significant defect in the application in addition to the specific reasons identified in to 37 CFR 1.312(c)(1)-(3), Applicant asserts that unless the

references cited by the foreign patent office are considered by the U.S. Examiner and made of record in the present application, the present application may possibly be considered noncompliant.

A Request for Continued Examination accompanies this petition.

Included is an authorization for payment of the petition fee required by 37 CFR 1.17(h) and the fee for the Request for Continued Examination.

Respectfully submitted,



Frank J. Kozak  
Reg. No. 32,908  
Chief Intellectual Property Counsel

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PTO/SB/17p (11-04)

Approved for use through 07/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**  
(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/970,375
Filing Date	OCT. 3, 2001
First Named Inventor	PAINTER
Art Unit	2636
Examiner Name	SWARTHOUT
Attorney Docket Number	NO110US

Enclosed is a petition filed under 37 CFR 313(d)(2) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 50 0728 :  
☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments  
Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

Frank J. Kozak  
Signature  
FRANK J. KOZAK  
Typed or printed name

MAY 20, 2005  
Date  
32,908  
Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.